

DEPARTMENT OF SOCIAL SERVICES

4 P Street, Sacramento, CA 95814

January 26, 1990



ALL-COUNTY LETTER NO. 90-11

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: PUBLIC LAW 100-503 - COMPUTER MATCHING AND PRIVACY
PROTECTION ACT OF 1988

This is to inform Counties of the effect of Public Law 100-503 on Public Assistance Administration.

Congress has enacted Public Law 100-503 with an effective date of January 1, 1990. The law mandates changes in utilizing Federal data obtained through a computer matching process. In general, any computerized comparison of two or more automated system of records, where at least one of the systems is a Federal system, would be covered under this Act. Under the Income and Eligibility Verification System (IEVS), data received from the Internal Revenue Service (IRS) and the Social Security Administration (SSA) would be covered under the Act.

The Act requires that applicants for and recipients of Aid to Families with Dependent Children (AFDC), Food Stamps and/or Refugee Cash Assistance be given a 30 day Notice of Adverse Action when the basis for the action is the result of utilizing IRS or SSA data through IEVS. Since no SSA and or IRS information is currently received for applicants, the IEVS Applicant System will not be affected by the Public Law at this time. For recipient matches received by counties, starting in February 1990, all Title II Retirement and Survivors Disability Insurance (RSDI), Beneficiary Earnings Exchange Record (BEER), Title XVI Supplemental Security Income/State Supplemental Payment (SSI/SSP), and IRS unearned income matches will be impacted by Public Law 100-503. The first of the Federal data to be matched after January 1, 1990 will be the RSDI data to be sent to Counties in February 1990 as part of the Payment Verification System (PVS). State data received through IEVS (Franchise Tax Board (FTB), Employment Development Department (EDD) Wages, Unemployment and Disability Insurance Benefits) is not covered under Public Law 100-503 and continues to require only a 10 day Notice of Adverse Action.

While we have not yet received Federal regulations, the Public Law is specific and requires implementation by January 1, 1990. In the interim, Counties are required to adhere to the provisions of the Act. Counties will be advised when regulations become available.

All other IEVS requirements remain in effect. This includes notifying applicants/recipients in writing of the IEVS data pertaining to their case and verifying the data where appropriate, before sending out the appropriate Notice of Adverse Action. Remember, adverse actions resulting from the use of SSA and/or IRS information must allow the client a 30 day Notice of Adverse Action period to dispute the action of the County.

If you have any questions regarding Public Law 100-503, please contact Ken Worman of the Fraud Program Management Bureau at (916) 445-2847.

A handwritten signature in dark ink, appearing to read "D. J. Horel", written in a cursive style.

ROBERT A. HOREL
Deputy Director